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FILED

MAY 11, 2006

**NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS**

By: Alan R. Niedz
Deputy Attorney General
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION)
OR REVOCATION OF THE LICENSE OF

) ADMINISTRATIVE ACTION

AFTAB SIDDIQUI, M.D.
License Number MA 25635

) CONSENT ORDER

TO PRACTICE MEDICINE AND SURGERY)
IN THE STATE OF NEW JERSEY)
(OAL DOCKET NO.BDSME 09124-2005N)

This matter was opened to the New Jersey State Board of Medical Examiners (the "Board") by the filing of a Verified Complaint and an Order to Show Cause on March 27, 1998 on behalf of Petitioner, Attorney General of New Jersey, which Complaint was amended on two occasions, May 20, 2005 by the Board and April 13, 2006 by Administrative Law Judge Robert J. Giordano, upon motion of Petitioner, by Alan R. Niedz, Deputy Attorney General.

At a hearing held before the Board on April 8, 1998, the license of Aftab Siddiqui, M.D., Respondent, to practice medicine and surgery in the State of New Jersey was temporarily suspended, effective April 8, 1998. Respondent currently remains suspended. This matter was

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transmitted to the Office of Administrative Law and hearings were scheduled to begin before the Honorable Robert Giordano, ALJ, on April 27, 2006.

The Complaint, as amended, alleges at Count I that, on January 29, 1997, Respondent issued prescriptions to two undercover investigators, posing as patients. The prescriptions included: Augmentin, Polyhistine DISMISS, Zantac, Diflucan, Zerit, Mevacor, Procardia XL, Zovirax ointment, Proventil inhaler and Zovirax, AZT, Prozac, and Lotrisone cream. The prescriptions were written by Respondent, notwithstanding the fact that he failed to ascertain any medical cause or necessity that would warrant the issuance of such prescriptions, i.e., indiscriminate prescribing. Respondent acknowledges that such events occurred and that his writing of such prescriptions constitutes violations of N.J.S.A. 45:1-21e, i.e., professional misconduct, thereby demonstrating a lack of good moral character, a requirement for licensure under N.J.S.A. 45:9-6.

The Complaint, as amended, also alleges at Count III that, during the effective period of Respondent's temporary suspension by the Board, on various dates between April 8, 1998 and October 4, 1999, Respondent issued eight (8) prescriptions to various patients. Respondent acknowledges that such events occurred and that his writing of such prescriptions constitutes violations of N.J.A.C. 13:45C-1.4, which regulatory violation constitutes professional misconduct under N.J.S.A. 45:1-21e, thereby further demonstrating a lack of good moral character, a requirement for licensure under N.J.S.A. 45:9-6.

It appearing that since Respondent has agreed to the terms and conditions contained herein, which agreement was noted by Respondent while under oath, on the record, before ALJ Giordano on April 28, 2006; and the Board finding such terms and conditions to be adequate to protect the health, safety and welfare of the public, and since Respondent has not engaged in the practice of medicine and surgery in New Jersey for a prolonged period of time following his temporary suspension, and both parties being desirous of resolving this matter without recourse to any further proceedings, and good cause existing for the entry of this Order;

IT IS, THEREFORE, ON THIS 10th DAY OF MAY, 2006, HEREBY ORDERED AND AGREED THAT:

1. Respondent's license to practice medicine and surgery in New Jersey be, and it hereby is, suspended, nunc pro tunc, for a period of eight (8) years, commencing April 8, 1998. Given the passage of this eight (8) year term of suspension, Respondent shall be eligible for reinstatement by the Board upon the full execution of this Order, subject to Respondent's meeting of the additional terms contained herein.

2. Respondent shall, at his sole cost and expense, successfully complete two courses, one in ethics and one in controlled substance prescribing, within six (6) months of this Order. Before enrolling in such courses, Respondent shall first apply in writing for, and receive, approval from the Board's Director of Medical Education, which approval

shall be solely at the Director's discretion, but which shall not be unreasonably withheld.

3. Respondent shall demonstrate to the satisfaction of the Board that any and all continuing medical education credits required by statute and regulation have, in fact, been satisfactorily completed.

4. Respondent shall pay \$40,000.00, by certified check or money order, made payable to the State Board of Medical Examiners and delivered to 140 East Front Street, 2nd Floor, P.O.Box 183, Trenton, New Jersey, 08625-0183, Attn: William Roeder, Executive Director. The \$40,000.00 payment, which shall be paid in installments as set forth below, shall be for any and all costs for the use of the State, attorneys fees, and civil penalties.

If Respondent is in compliance with the terms of Paragraph 3 above so that his medical license is, therefore, eligible for reinstatement upon the full execution of this Order, Respondent shall make a first installment payment in the amount of \$1,666.67 no later than June 15, 2006. Respondent shall then make payment of twenty-two (22) consecutive installment payments, each of which amounts to \$1,666.67, on the 15th day of each subsequent month, beginning on July 15, 2006 and ending on April 15, 2008. Respondent shall make a final installment payment in the amount of \$1,666.59 on May 15, 2008.

In the event that Respondent remains ineligible, for any reason, for reinstatement upon the full execution of this Order, Respondent's obligation to pay the above-mentioned \$40,000.00 to Petitioner shall, nonetheless, continue. In such event, Respondent

shall make a first installment payment in the amount of \$1,666.67 no later than August 15, 2006. Respondent shall then make payment of twenty-two (22) consecutive installment payments, each of which amounts to \$1,666.67, on the 15th day of each subsequent month, beginning on September 15, 2006 and ending on June 15, 2008. Respondent shall make a final installment payment of \$1,666.59 on July 15, 2008.

Payment by Respondent must be received by the Board no more than (5) business days after the monthly due date set forth above. Respondent's financial obligations as set forth herein shall be memorialized by a Certificate of Debt duly recorded in the State of New Jersey. Any failure by Respondent to make payments in accordance with the terms of this Order shall result in the acceleration of Respondent's obligation to reimburse the Board for its combined costs, attorneys fees and civil penalties. Additionally, any failure by Respondent to make payments under the terms of this Order shall constitute both a failure to comply with this Order and professional misconduct pursuant to N.J.S.A. 45:1-21(e), thereby subjecting Respondent to any and all additional remedies available to the Board pursuant to N.J.S.A. 45:1-21 and 22.

5. Respondent hereby consents to the entry of an Order of automatic suspension of license, upon notice given telephonically or in writing to Respondent's current business address or that of his current attorney, upon Respondent's failure to comply with any of the terms and conditions set forth in this Order, including, but not limited to,

Respondent's failure to make installment payments in accordance with the terms set forth in Paragraph 4 above.

6. In the event an automatic suspension of Respondent's medical license occurs, Respondent shall have the right to apply for removal of the automatic suspension upon two (2) days notice, but in such event shall be limited to a showing that disputed payments were, in fact, made to Petitioner.

7. Respondent hereby acknowledges receipt of, and agrees to abide by, the terms set forth in the attached Directives Applicable To Any Medical Board Licensee Who Is Disciplined Or Whose Surrender Of Licensure Has Been Accepted.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: Sindy Paul, MD
Sindy Paul, M.D.
President

I have read and understood this Order and agree to be bound by its terms. I agree to the entry of this Order.

Aftab Siddiqui, M.D.

Date:

Consent is hereby given as to the form and entry of this Order.

Arthur Timins, Esq.
Attorney for Respondent

Date:

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Respondent's failure to make installment payments in accordance with the terms set forth in Paragraph 4 above.

6. In the event an automatic suspension of Respondent's medical license occurs, Respondent shall have the right to apply for removal of the automatic suspension upon two (2) days notice. But in such event shall be limited to a showing that disputed payments were, in fact, made to Petitioner.

7. Respondent hereby acknowledges receipt of, and agrees to abide by, the terms set forth in the attached Directives Applicable To Any Medical Board Licensee Who Is Disciplined Or Whose Surrender Of License Has Been Accepted.

NEW JERSEY STATE BOARD OF
MEDICAL EXAMINERS

By: Sindy Paul, MD
Sindy Paul, M.D.
President

I have read and understood this Order and agree to be bound by its terms. I agree to the entry of this Order.

X Aftab Siddiqui, M.D.
Aftab Siddiqui, M.D.

Date: MAY 3, 2006

Consent is hereby given as to the form and entry of this Order.

Arthur Timins, Esq.
Arthur Timins, Esq.
Attorney for Respondent

Date: MAY 3, 2006